

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0115 – William Cannon

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4808 West William Cannon Drive (Williamson Creek Watershed – Barton Springs Zone) from single family residence standard lot (SF-2) district zoning to neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning with conditions. The Recreation Easement is for a depth of 175 feet from the north property line. Use of the easement is for recreational purposes, including the construction, operation, maintenance, repair, replacement and upgrade of a park, greenbelt, and hike and bike trails.

DEPARTMENT COMMENTS:

On January 15, 2009, the Applicant and the Neighborhood reached agreement that the following items be placed in a Conditional Overlay:

- Limit the impervious cover to 10.49% (9,836 square feet, as determined by a 2009 survey).
- Limit the total building square footage to 5,000 square feet.
- Prohibit the following uses: consumer convenience services, congregate living, custom manufacturing, financial services, food sales, general retail sales (general), guidance services, off-site accessory parking, pet services, plant nursery, printing and publishing, restaurant (general and limited), residential treatment and service station.
- The maximum height is 35 feet.
- A 25-foot wide building setback is required along the east property line.
- A 15-foot wide building requirement is required along the west property line, unless the subject property and the adjacent property to the west are developed as a unified development.
- A 25-foot wide vegetative buffer is required along West William Cannon Drive.
- A 50-foot wide building setback is required along West William Cannon Drive.

The Applicant and the Neighborhood have also agreed to a private restrictive covenant that will cover restrictions for a jewelry store use, signage and lighting; require screening for front parking areas and dumpsters; require architectural standards for new buildings; establish business hours of operation; and require screening of a retention/filtration facility.

A valid petition of 74.45% has been filed by the adjacent property owners in opposition to this rezoning request.

The Conditional Overlay and Recreation Easement incorporates the conditions imposed by the City Council at First Reading.

OWNERS: Marcus Whitfield and Eskew Place, Ltd. (Gail and Marcus Whitfield).

AGENT: McClean & Howard, L.L.P (Jeff Howard).

DATE OF FIRST READING: October 23, 2008, approved LO-MU-CO with conditions, on First Reading (5-1, Morrison – nay; Martinez – off the dais).

CITY COUNCIL HEARING DATE: February 12, 2009

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us

**ITEM No. 84**  
**4808 William Cannon**

**AGREED MOTION ON SECOND READING**

LR-MU-CO

1. Conditional Overlays:

- Limit impervious cover to currently existing impervious cover (approx. 8100 sqft)
- Prohibit the following commercial uses: Consumer Convenience Services, Consumer Repair Services (except for locally owned jewelry store with no more than 2 locations), Financial Services, Food Sales, General Retail Sales (Convenience) (except for locally owned jewelry store with no more than 2 locations), Off-Site Accessory Parking, Pet Services, Plant Nursery, Printing and Publishing, Restaurant (Limited), Service Station
- Prohibit all industrial uses
- Prohibit the following civic uses: Congregate Living, Convalescent Services, Group Home I, Group Home II, Guidance Services, Residential Treatment and Telecommunication Tower
- Any new building on the Property replacing the existing building will be located outside of the Critical Water Quality Zone and demolished areas will be revegetated
- Total building square footage not to exceed 5000 square feet
- Max. Height is 35 feet measured from grade to highest point of the roof
- 25 foot building setback from the east property line
- 15 foot building setback from the west property line, unless the property and adjacent property are developed under as a unified development
- 25 foot vegetative buffer from William Cannon (except for driveway, utilities and signage)
- 50 foot building setback from William Cannon

2. Additional Conditions of Zoning

- A. Recreation Easement recorded for trail along Williamson Creek (*NOTE: the easement has been drafted and field notes have been prepared. The Easement will be recorded at 3<sup>rd</sup> reading*).
- B. Private Restrictive Covenant with Neighborhood with following terms:
- Jewelry Store use (if any) to be restricted for local store with no more than 2 locations, no other retail uses allowed
  - In the event of major redevelopment, screening of front parking areas will be provided at least 5 feet tall consisting of vegetation and/or stone or brick walls
  - Providing for signage restrictions as follows:
    - i. Main identification sign is to be native stone (limestone) or brick with a maximum height of 6 feet plus an appropriately landscaped 18 inch berm or sign base; sign to be positioned for safe ingress and egress to the site. Additionally the sign is not to be internally illuminated in accordance with City of Austin Code as of November 2008 and is not to contain any changeable letter or electronic message sign. The sign may be ground

illuminated only if landscaping is provided to screen the lighting components from street view.

- ii.* Building signage is to be Class A signage (no painted signboard or plywood; no channel letters or cabinets unless variance granted prior to manufacture and/or installation by Western Oaks Property Owners Association).
  - iii.* Banners are allowed for the first 30 days of occupancy (90 days in the case of a private school advertising enrollment) to announce opening and two ten day periods yearly. No other temporary signage is allowed at any time. Signage advertising the property for sale or lease is excepted from the temporary signage limitation.
- Architectural Standards for new buildings
  - i. 75% of building native stone or brick (not including windows and doors)
  - ii. Earthtone colors
- Business hours of operation to receive customers Monday through Friday 7am-9pm; Saturday through Sunday 9am-6pm
- Any Retention/filtration facility screened to Western Oaks residents and White Elm residents.
- If development is subject to site plan review, all items in this agreement to be included in notes on site plan.
- Lighting to meet dark sky standards as established in other covenants with Western Oaks POA.
- For major redevelopment, dumpster is to be screened and fully enclosed with attractive materials from William Cannon and White Elm residents. Service only between the hours of 8am-6pm.
- Streetscape landscaping is to be maintained as current with minor trimming allowed. If redevelopment occurs, with rear parking, landscaping in front of any new building is to have a residential "look and feel" (trees and shrubs) to make any new building generally consistent landscaping in the Western Oaks neighborhood. If redevelopment occurs with front parking, parking area is to be screened by landscaping and/or stone wall such that vehicles are screened from the street as described above

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0115 – William Cannon

**P.C. DATE:** July 8, 2008  
July 22, 2008  
August 12, 2008

**ADDRESS:** 4808 West William Cannon Drive

**OWNER:** Marcus Whitfield & Eskew Place, Ltd. **AGENT:** McClean & Howard, L.L.P.  
(Gail and Marcus Whitfield) (Jeffrey Howard)

**ZONING FROM:** SF-2 **TO:** LR-MU **TOTAL AREA:** 2.15 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to maintain single family residence standard lot (SF-2) district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

July 8, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JULY 22, 2008.*

*[S. KIRK; M. DEALEY – 2ND] (8-0) D. SULLIVAN – ABSENT*

July 22, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO AUGUST 12, 2008.*

*[M. DEALEY; S. KIRK – 2<sup>ND</sup>] (7-0) T. ATKINS; C. EWEN – NOT ARRIVED YET*

August 12, 2008: *TO DENY THE APPLICANT'S REQUEST FOR LR-MU DISTRICT ZONING.*

*[P. HUI; P. CAVAZOS – 2ND] (5-2) C. EWEN; M. DEALEY – NAY; J. REDDY; C. SMALL – ABSENT*

### **ISSUES:**

On January 15, 2009, the Applicant and the Neighborhood reached an agreement that the following items be placed in a Conditional Overlay:

- Limit the impervious cover to 9,836 square feet (10.49%).
- The total building square footage may not exceed 5,000 square feet.
- Prohibit the following uses: consumer convenience services, congregate living, custom manufacturing, financial services, food sales, general retail sales (general), guidance services, off-site accessory parking, pet services, plant nursery, printing and publishing, restaurant (general and limited), residential treatment and service station.
- The maximum height is 35 feet.
- A 25-foot wide building setback is required along the east property line.

- A 15-foot wide building requirement is required along the west property line, unless the subject property and the adjacent property to the west are developed as a unified development.
- A 25-foot wide vegetative buffer is required along West William Cannon Drive.
- A 50-foot wide building setback is required along West William Cannon Drive.

The Applicant and the Neighborhood have also agreed to a private restrictive covenant that will cover restrictions for a jewelry store use, signage and lighting; require screening for front parking areas and dumpsters; require architectural standards for new buildings; establish business hours of operation; and require screening of a retention/filtration facility.

On October 23, 2008, the subject property (designated as Tract AG on the Future Land Use Map) was approved for Neighborhood Mixed Use designation on 1<sup>st</sup> Reading (5-1, Morrison – Nay; Martinez – off the dais).

A valid petition of 74.45% has been filed by the adjacent property owners in opposition to this rezoning request.

The Oak Hill Combined Neighborhood Plan and associated rezoning cases were approved with conditions at the July 8<sup>th</sup> Planning Commission meeting and are scheduled for the August 28th City Council meeting. Neither the Neighborhood Planning Contact Team nor the Staff recommended a base district zoning change for the subject property and the recommended Future Land Use Map category was Single Family. However, the property is proposed to receive the –NP, neighborhood plan combining district suffix through the neighborhood plan rezonings.

The Applicant has met with the Western Oaks Property Owners Association and the Westcreek Ranch Homeowners Association to discuss the zoning change, and would like to discuss the Staff recommendation.

The Hill Country Conservancy and the Austin Parks Foundation have each provided a letter of support for a conservation easement along Williamson Creek, which extends through the rear of the property.

#### **DEPARTMENT COMMENTS:**

The subject unplatted tract contains one single family residence, has driveway access to West William Cannon Drive and is zoned single family residence standard lot (SF-2) district. The tract is situated between a condominium development to the east (SF-6) and single family residences on large platted tracts to the west (SF-2). Williamson Creek flows through the property on its north side and forms the southern boundary of the Westcreek subdivision. Western Oaks subdivision is to the south (SF-2). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and A-2 (100-year floodplain).

The Applicant proposes to rezone the tract to the neighborhood commercial – mixed use (LR-MU) district and convert the existing residence to either an office use or a personal

improvement services use, and potentially develop a retail sales use along the William Cannon frontage.

Although the property is situated on a major arterial roadway, commercial development and zoning along this segment of William Cannon is generally reserved for sites located at intersections. A rezoning to a non-residential district would be inconsistent with the neighborhood plan rezonings and would set precedent for office or commercial use in similar locations. In addition, the Critical Water Quality Zone and the Water Quality Transition Zone (CWQZ and WQTZ, measured from the centerline of Williamson Creek) occupies a significant portion of the site, thereby constraining site development. As the property is unplatted, impervious cover is limited to 15 percent of the net site area (the area outside of the CWQZ and the WQTZ). Due to the environmental constraints and the residential character of this portion of William Cannon Drive, the Staff is recommending that the SF-2 zoning be maintained.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	One single family residence
<i>North</i>	SF-2	Single family residences within the Westcreek subdivision
<i>South</i>	SF-2	Single family residences within the Western Oaks subdivision
<i>East</i>	SF-2; SF-6	Williamson Creek; Condominiums of Westcreek Ranch
<i>West</i>	SF-2	Single family residences on large lots within the Bridle Path Estates subdivision

**NEIGHBORHOOD PLANNING AREA:** East Oak Hill **TIA:** Is not required

**WATERSHED:** Williamson Creek –  
Recharge Zone

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** Yes

**NEIGHBORHOOD ORGANIZATIONS:**

89 – Westcreek Neighborhood Association  
 298 – Oak Hill Association of Neighborhoods  
 384 – Save Barton Creek Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 705 – OHAN 78735                      779 – Oak Hill Combined NPA Staff Liaison  
 786 – Home Builders Association of Greater Austin  
 943 – Save Our Springs Alliance      967 – Circle C Neighborhood Association  
 1113 – Austin Parks Foundation      1037 – Homeless Neighborhood Association

**SCHOOLS:**

Patton Elementary School

Small Middle School

Austin High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-98-0001.03 (Wine Styles at Arbor Trails)	PUD to PUD, to change the conditions of zoning	To Grant PUD and add "cocktail lounge" as an additional permitted use for a 0.043 acre area	Approved PUD as recommended by the ZAP (5-3-07).
C814-98-0001.01 (Southwest Marketplace)	PUD to PUD, to change the conditions of zoning	To Grant PUD with the Restrictive Covenant for the Traffic Phasing Agreement	Approved PUD with conditions as recommended by the Environmental Board and ZAP (9-2-04).
C14-03-0178 – Western Oaks Physical Fitness Studio	LR to GR	To Grant GR-CO with CO for list of prohibited uses	Approved GR-CO as Commission recommended (2-26-04).
C14-89-0007 – Westcreek Section 10, Phase G, Resub of Lot 1	LO to GR-CO	To Grant GR-CO	Approved GR-CO with CO limiting F.A.R.; impervious cover to 70%; LR uses and freestanding or low-profile signs allowed in the LR district (11-9-89).
C14-80-114RC – Westcreek Landing	Interim-AA, A, AA Residence to AA, A-2, BB, O, LR,	To Grant, with Site Plan	Approved with Restrictive Covenant with limitations on where residential may not occur, site plan requirement, access to William Cannon Drive, landscaping, fencing, building setback (11-20-80).

**RELATED CASES:**

The property was annexed into the City limits on July 3, 1975 (C7A-75-006). There are no pending subdivision or site plan applications on the subject property.



**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
West William Cannon Drive	120 feet	95 feet	Arterial	Yes, Priority 1	Yes, both sides	No

**COUNCIL DATE:** August 7, 2008**ACTION:** Approved a Postponement request by the Staff to August 21, 2008 (7-0).

August 21, 2008

Approved a Postponement request by the Applicant to August 28, 2008 (7-0).

August 28, 2008

Approved a Postponement request by the Staff to October 23, 2008 (7-0).

October 23, 2008

Approved LO-MU-CO district zoning with the CO limiting the impervious cover to the existing cover, including the requirement for dedication of land for the trail, on First reading of the ordinance rezoning (5-1, Morrison – Nay; Martinez – off the dais).

January 15, 2009

Approved a Postponement request by Staff to January 29, 2009 (6-0, Mayor Pro Tem McCracken - off the dais.

**Note:** Direction was given to staff to include as many of the proposed conditional overlays as possible when the action was brought back for Council approval.

January 29, 2009

**ORDINANCE READINGS:** 1<sup>st</sup> October 23, 2008 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us**PHONE:** 974-7719







West William Cannon Drive

Exhibit A





**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to maintain single family residence standard lot (SF-2) district zoning.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Although the property is situated on a major arterial roadway, commercial development and zoning along this segment of William Cannon is generally reserved for sites located at intersections. A rezoning to a non-residential district would be inconsistent with the neighborhood plan rezonings and would set precedent for office or commercial use in similar locations. In addition, the Critical Water Quality Zone and the Water Quality Transition Zone (CWQZ and WQTZ, measured from the centerline of Williamson Creek) occupies a significant portion of the site, thereby constraining site development. As the property is unplatted, impervious cover is limited to 15 percent of the net site area (the area outside of the CWQZ and the WQTZ). Due to the environmental constraints and the residential character of this portion of William Cannon Drive, the Staff is recommending that the SF-2 zoning be maintained.

**EXISTING CONDITIONS****Site Characteristics**

The subject tract is developed one single family residence and slopes to the north, towards Williamson Creek which flows through the property on its north side.

**Impervious Cover**

The maximum impervious cover allowed by the LR-MU zoning district would be 15%, which is based on the more restrictive watershed regulations described below.

## **Environmental**

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Here is a brief summary of LDC 25-8 and how it applies to this tract:

1. The SOS impervious cover limit for any kind of development within the recharge zone is 15% net site area.
2. The SOS Ordinance does not apply to a single tract of land not required to be platted if the development is either:
  - a. construction, renovation, additions to, repair, or development of a single-family, single-family attached, or a duplex structure used exclusively for residential purposes, and construction of improvements incidental to that residential use; or
  - b. development of a maximum of 8,000 square feet of impervious cover, including impervious cover existing before and after the development. (Note: Based on GIS planimetrics, the site is already over 8,000 square feet of IC and would not be able to use this exemption.)
3. However, this site is almost 100% within the Critical Water Quality Zone and Water Quality Transition Zone (except approx. 692 sq ft or 0.7% of the site according to GIS). Over the recharge zone, no development is allowed within the CWQZ or WQTZ except for minor drainage facilities and trails. (There is a one unit/three acre allowance in the WQTZ, but this does not apply in the recharge zone.) Environmental Review staff agrees that the buffer prohibitions would trump any existing tract exceptions under the SOS Ordinance itself. They would not be able to put additional impervious cover within either buffer.
4. The new BSZ Redevelopment Ordinance would not apply to this tract because it does not apply to existing residential uses.

According to flood plain maps, there is a flood plain within the project location.

Based upon the close proximity of a flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2-year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

### **Transportation**

No additional right-of-way is needed for William Cannon at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Site Plan and Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

This site is in the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the West, North, and Northeast property lines, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- e. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- f. No parking or driveways are allowed within 25 feet of the property line.
- g. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.



## Rhoades, Wendy

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**From:** Rick Perkins [mailto:rp@perkins.com]  
**Sent:** Thursday, August 21, 2008 4:02 PM  
**To:** Rhoades, Wendy  
**Cc:** Richard Perkins  
**Subject:** Williamson Creek Trail - Conservation / Recreational Easement - Case C14-2008-0115  
**Attachments:** Hill Country Conservancy Letter.pdf; AustinParksFoundation-Letter C14-2008-0115.pdf

Ms. Rhoades,

I am Vice-chair of the Oak Hill Trails Association and I would just like to share with you some comments about the Williamson Creek Trail that is in the Oak Hill Neighborhood Plan. I am speaking on my own behalf because this opportunity just appeared to us and the Oak Hill Trails Association has not had a chance to vote on this issue.

Attached are two letters of support from the Hill Country Conservancy and the Austin Parks Foundation for the contiguous connection of the Williamson Creek Trail which roughly parallels to William Cannon.

The homeowner who is asking for a change of zoning from SF2 to LO has told us that they are committed to a conservation easement and a recreational easement on the back portion of their property. The rec easement would be used for the Williamson Creek Trail of which this property is in a very critical area to ensure that we will have a contiguous trail between the Y at Oak Hill, the Oak Hill little league baseball fields at Hwy 290, to Dick Nichols Park, and across MoPac to connect to the Walk for a Day trail. The Oak Hill neighborhoods have a far-reaching goal to have this natural trail to be slowly constructed over the next 10 years. This is evidenced in the Oak Hill Neighborhood Plan of which the Williamson Creek Trail is a part.

It should be noted that the City of Austin already owns a majority of the land that constitutes Williamson Creek and in most instances the width of the land ownership is in excess of 100 feet. There is plenty of room for a 5 or 10 foot wide hike and bike trail within this swath of land. The immediate neighbors more than likely will never see or hear someone who is using the proposed trail, that is, unless they choose to recreate on the trail, which undoubtedly they will do once the trail is in place.

The Oak Hill Trails Association does not wish to get involved in the details of the zoning case, however, we do support any landowner who will provide assistance towards the building of the Williamson Creek Trail, especially when a donation of a recreational easement will help the citizens of Austin to exercise and enjoy the outdoor community space.

--  
**Rick Perkins**  
512-426-5728

[Redacted Signature]  
"The views expressed in this email are of the sender  
and do not represent opinions of a particular organization  
unless so stated."

8/21/2008



WWW.HILLCOUNTRYCONSERVANCY.ORG

August 21, 2008

To: Honorable Mayor Will Wynn and City Council Members

Re: Zoning Case C14-2008-0115-4808 William Cannon Drive.

It is my understanding that the property owner, Gail Whitfield, has offered the City of Austin a conservation easement along Williamson Creek as part of her request to rezone the property from SF2 to LR. We are not familiar with all the aspects of the zoning case and do not take positions on specific projects. However, we urge the Council to consider the benefits of obtaining conservation easements along Williamson Creek as you deliberate on this agenda item.

A trail along Williamson Creek is one of twelve top-priority trails identified by the Austin Area Trails Network, a group comprised of citizens, non-profit groups and government representatives working collaboratively to plan and build a five-county trail system. The Williamson Creek Trail is envisioned to connect with Walk For A Day and Oak Hill. Obtaining easements along Williamson Creek is an important step toward effecting the vision of an extensive interconnected trail network for the greater Austin area. I believe most of the Williamson Creek corridor in this area is already owned by the City of Austin (or conservation easements are in place), with the exception of this property and two more needed to create a contiguous greenbelt. Each individual easement and "acquisition" moves us measurably closer to our goals.

Thank you for your consideration and all that you do to support a strong and vibrant parks and trails system for the City of Austin.

Sincerely,

A handwritten signature in black ink, appearing to read "George Cofer", is written above the typed name.

George Cofer  
Executive Director  
(512.657.3628)

# AUSTIN PARKS FOUNDATION



701 Brazos, Ste. 170 tel 512.477.1566  
Austin, TX 78701 fax 512.477.1586  
www.austinparks.org apf@austinparks.org

August 20, 2008

The Honorable Will Wynn  
Mayor, City of Austin  
P.O. Box 1088  
Austin, TX 78767

Dear Mayor Wynn,

The Austin Parks Foundation would like to address the zoning case C14-2008-0115 for 4808 William Cannon Drive. It is our understanding that the property owner, Gail Whitfield, has offered the City a conservation easement along Williamson Creek as a part of her request to rezone the property from SF2 to LR. We are not familiar with all aspects of this zoning case and have not taken a position on the item. However, we urge the council to place a high priority on the benefits of obtaining easements along Williamson Creek.

A trail along Williamson Creek is one of twelve top-priority trails identified by the Austin Area Trails Network, a working group comprised of citizens, non-profit groups and government representatives. The Williamson Creek Trail is envisioned to connect with Walk For A Day and Oak Hill. Obtaining easements along Williamson Creek is an important step to realizing the vision of an extensive interconnected trail network for Austin. Most of the creek is already City of Austin property or easements, with only this property and two more needed to create a contiguous greenbelt.

Thank you for your consideration and all that you do to support a strong and vibrant parks system for the City of Austin.

Sincerely,

*Jacqui Schraad*  
Jacqui Schraad  
President

Mayor Pro Tem Brewster McCracken  
Council Member Sheryl Cole  
Council Member Lee Leffingwell  
Council Member Mike Martinez  
Council Member Laura Morrison  
Council Member Randi Shade

## President

Jacqui Schraad  
Heritage Society of Austin

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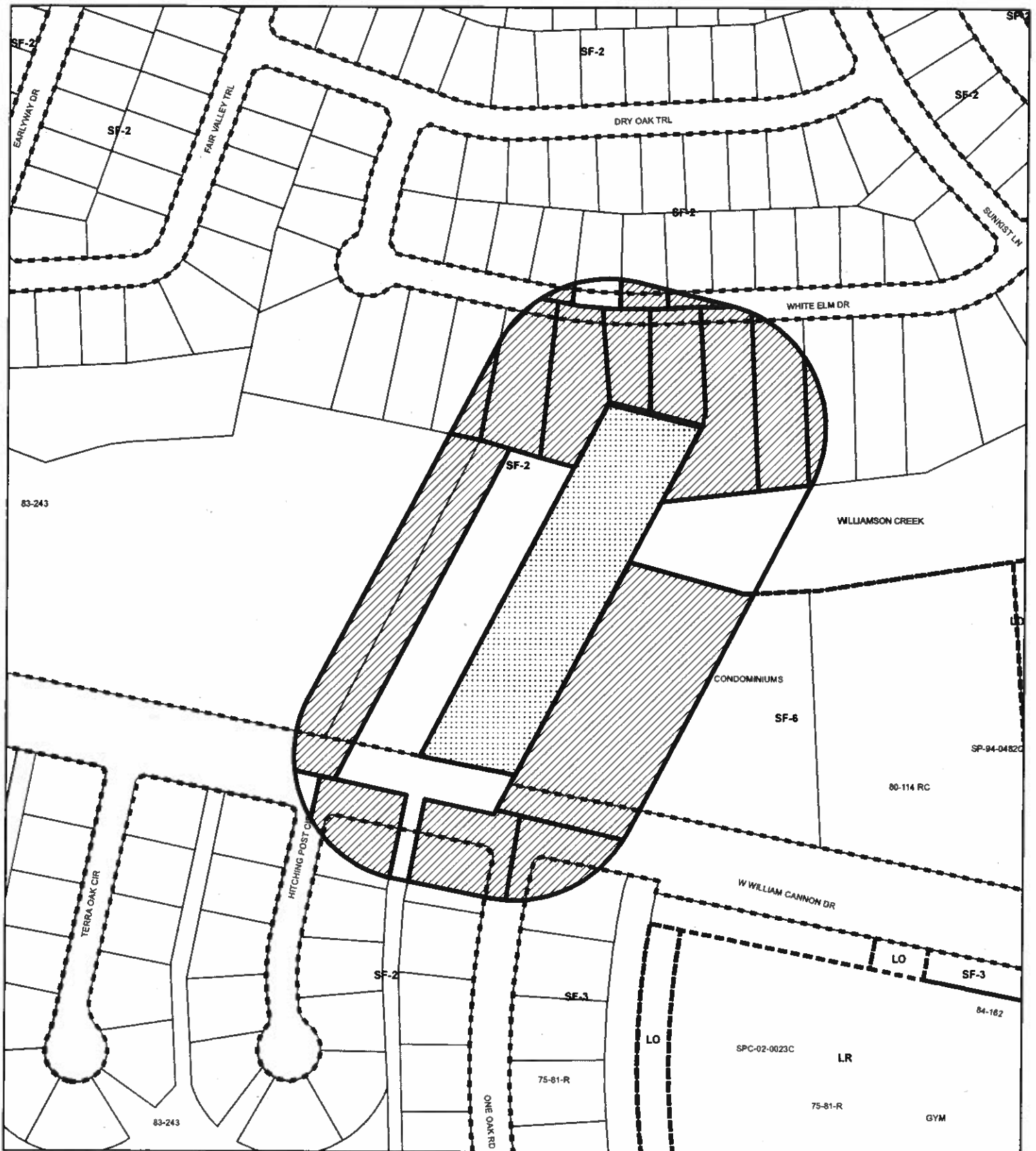
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-  Subject Tract
-  Property Owner
-  Buffer
-  Zoning Boundary

OPERATOR: S. MEEKS

# PETITION

CASE#: C14-2008-0115  
 ADDRESS: 4808 WILLIAM CANNON DR  
 GRID: D18  
 CASE MANAGER: W. RHOADES



1" = 200'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

# PETITION

Case Number: **C14-2008-0115** Date: Aug. 19, 2008

**4808 WILLIAM CANNON DR**

Total Area Within 200' of Subject Tract 439,919.69

1	04-1028-0819	DARTER RICHARD B	1392.70	0.32%
		SALINAS RUBEN &		
2	04-1028-0820	DEBORAH SALINA	2947.09	0.67%
		HARKIN ELIZABETH &		
3	04-1028-0822	JAMES L	930.47	0.21%
		EASTERLING		
4	04-1028-0908	GORDANA	3978.68	0.90%
5	04-1028-0909	WALLACE CHARLOTTE	19991.61	4.54%
6	04-1028-0910	FRAZER RICHARD A	21093.45	4.79%
		DOBRINSKI BILL &		
7	04-1028-0911	NANCY	10856.94	2.47%
		REEVE ANGELICA		
8	04-1028-0912	CARONE	14940.57	3.40%
9	04-1028-0913	ZETT MELBA R	28568.39	6.49%
		STONEFIELD		
10	04-1028-0914	CHARLES W II	20589.86	4.68%
		MCCONNELL DAVID &		
11	04-1028-0915	SUSAN	4429.52	1.01%
12	04-1028-0942	BALLARD DAN	56352.05	12.81%
13	04-1228-0201	& DOROTHY G	21092.69	4.79%
		CATALDO GARY A & M		
14	04-1228-0261	GRACE	16110.36	3.66%
		HARRIS MARY & DAVID		
15	04-1228-0614	HERNANDEZ	15,685.62	3.57%
16	04-1228-0706	PALMER DANIEL	88,538.45	20.13%
17				0.00%
18				0.00%
19				0.00%
20				0.00%
21				0.00%
22				0.00%
23				0.00%
24				0.00%
25				0.00%
26				0.00%

Validated By:	Total Area of Petitioner:	Total %
<u>Stacy Meeks</u>	<u>327,498.42</u>	<u>74.45%</u>

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

Petitioners state the following reasons for the protest:

- Oak Hill Neighborhood Plan and FLUM as well as City Planning Commission Staff support the subject property as SF-2.
- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negating the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency – surrounding property on all sides is zoned SF, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

<u>Dan Ballard</u>	Dan Ballard	4900 West William Cannon Austin TX 78749
<u>Charlotte S Wallace</u>	Charlotte S Wallace	4901 White Elm Dr Austin TX 78749
<u>Dan Farmer</u>	Dan Farmer	4120 W. Wm Cannon #8 Austin, TX 78749
<u>Grace Cataldo</u>	Grace Cataldo	1801 Hitching Post Cir Austin TX 78749
<u>Mary Harris</u>	Mary Harris	6701 One Oak Rd Austin, TX 78749
<u>Daniel Hernandez</u>	DAVID HERNANDEZ	AUSTIN, TX 78749

DATE: August 12, 2008

CONTACT NAME: Charlotte Wallace  
Phone #: (512) 554-1773

## **P E T I T I O N**

Date: August 6, 2008  
File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2. Sec. 1-2-1 of the Land Development Code, Protest of a Proposed Rezoning, states that:

a proposed rezoning shall not become effective except by the favorable vote of three-fourths of all members of the Council, if a petition has been filed, signed by the owners of 20% or more of

- 1) the land included in such a proposed change, or
- 2) the land immediately adjoining the same and extending 200 ft. there from.

Petitioners state the following reasons for the protest:

- Oak Hill Neighborhood Plan and FLUM as well as City Planning Commission Staff support the subject property as SF-2.
- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negates the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency – surrounding property on all sides is zoned SF-2, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

The signatures to follow represent 20% or more of the owners of the land immediately adjoining 4808 W. William Cannon and extending 200 ft. there from. Thank you for your consideration and attention to this matter.

Respectfully Submitted,

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Zip
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78749
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78749
* Gary A. Cantalero	Gary	Cataldo	6801	Hitching Post	Austin	TX	78749
	Brett	Darter	4812	White Elm Dr	Austin	TX	78749
	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78749
Or Easterling	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78749
✓ Richard E. Dwyer	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78749
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78749
Elizabeth Sue Harkin	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78749
George O. Harrison & Dorothy Harrison	George O & Dorothy	Harrison	6700	One Oak Rd	Austin	TX	78749
	David	Hinds	6701	One Oak Rd	Austin	TX	78749
Dave McConnell Sue McConnell	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78749
	William C	McMillan	4913	White Elm Dr	Austin	TX	78749
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78749
Angelica Carone	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78749
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78749
Rubens Deborah	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78749
	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78749
Charlotte S Wallace	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78749
	Jeff	Warner	6801	One Oak Rd	Austin	TX	78749
Melba R. Zett	Melba R	Zett	4813	White Elm Dr	Austin	TX	78749

Date: August 12, 2008

Contact Name: Charlotte Wallace

Phone Number: (512) 554-1773



P E T I T I O N

Date: August 6, 2008

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To: Austin City Council

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Petitioners state the following reasons for the protest:

- Oak Hill Neighborhood Plan and FLUM as well as City Planning Staff support the subject property as SF-2
- City of Austin focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
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- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency – surrounding property on all sides are zoned SF-2, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

 Dan Falmer 4620 W. Wm Cannon #8

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Date: 8-7-08

Contact Name: Dan Palmer

Phone Number: 658-9435

President Westcreek  
Ranch H.O.A.

FAX#  
866-247-2260

# P E T I T I O N

Date: August 6, 2008

**File Number:** C14-2008-0115

**Address of** 4808 Wm Cannon  
**Rezoning Request:** Austin, Texas 78749

**To: Austin City Council**

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[illegible]

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Signature

Printed Name

Address

*Elizabeth Renzetti*      *ELIZABETH RENZETTI*      *4620 W. WM CANNON DR.*  
*UNIT 2*

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

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Rezoning Request: Austin, Texas  
78749

To: Austin City Council

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Signature



Printed

Name

Kathleen Ramos

A d d r e s s

4620 West William Cannon #6  
Austin, TX 78749

P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

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Signature

Printed Name

Address

  
Dan PalmerDan Palmer  
Cindy Palmer4620 W. Wm Cannon #8  
4620 W. Wm Cannon #8

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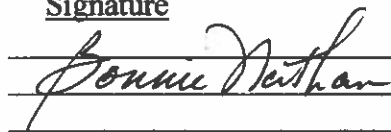
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Signature

Printed Name

Address

	BONNIE NATHAN	4620 W William Cannon #10 Austin TX 78749



## P E T I T I O N

Date: August 6, 2008

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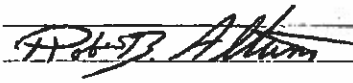
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Signature

Printed Name

Address

	Robert B. Altum	4820 W. William Cannon Dr. #12 Austin, TX 78749

08/11/08

**P E T I T I O N**

Date: August 6, 2008  
File Number: C14-2008-0115

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Signature

Printed Name

Address

Renée Tuggle Renée Tuggle 4820 Wm Cannon Dr #14,  
Austin, TX  
78749

## P E T I T I O N

Date: August 6, 2008

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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
Corrie Umscheid	Corrie L. Umscheid	4620 W. William Cannon #45
Linda L. Burrichter	Linda L. Burrichter	4620 W. William Cannon #45

**P E T I T I O N**

Date: August 6, 2008  
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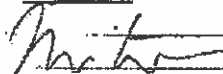
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Signature

Printed Name

Address



Michael Cossette

4808 W. WILLIAM  
Cannon Dr # 19

Austin, TX 78749

P E T I T I O N

Date: August 6, 2008

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Joseph C. Holub

Joseph C. Holub

4620 W. William Cannon #20  
Austin, TX 78749

## P E T I T I O N

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File Number: C14-2008-0115

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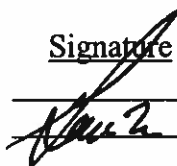
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- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address



GENE MCMENAMIN

4620 W. WM. CANNON #21  
AUSTIN, TX 78749

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

Petitioners state the following reasons for the protest:

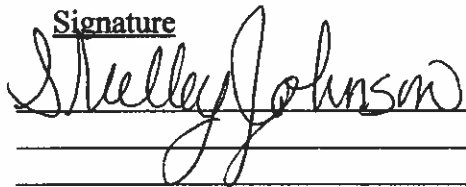
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- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negating the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

	Shelley Johnson	4620 W Wm Cannon #25 Austin, TX 78749

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

A.C. Schultz ALEXANDER C. SCHULTZ 4620 W. WM CANNON #26  
AUSTIN, TX 78749



**P E T I T I O N**

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

*Julie Krosting* Julie Krosting 4620 W. Wm. Cannon #29 Austin 78749

P E T I T I O N

Date: August 6, 2008  
File Number: C14-2008-0115  
  
Address of: 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

*Jennifer Loftis*

Jennifer Loftis

4808 W. Wm. Cannon #30

**P E T I T I O N**

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

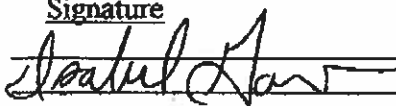
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	ISABEL GARCIA	4620 W Wm CANN #32 AUSTIN, TX 78749

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Sylvia Y. Pin

Printed Name

SYLVIA Y. PIN

Address

4620 W. W. CANNON DR.  
#34.

**P E T I T I O N**

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

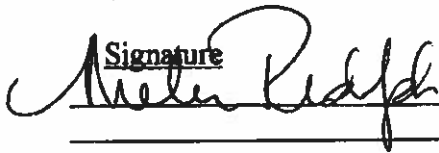
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

Milena Rudolph

4620 W. William Cn  
#37, Austin, TX  
78749

# P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address  
Lumancia Lmare MARCIA MUSE 4620 West William CN #40 AUSTIN 78749

## P E T I T I O N

Date: August 6, 2008  
File Number: C14-2008-0115

Address of: 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
<i>Thomas J. Johnson</i>	THOMAS J. JOHNSON	4620 Wm Cannon DR #42 Austin
<i>Carole S. Johnson</i>	Carole S. Johnson	4620 Wm Cannon Dr #42 Austin

**P E T I T I O N**

Date: August 6, 2008

File Number: C14-2008-0115

Address of                      4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

*Susan Cisco*

*SUSAN CISCO*

*4620 W. Wm. Cannon #47  
Austin Tx 78749*



## PETITION

Date: August 6, 2008  
File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas  
78749

To: Austin City Council

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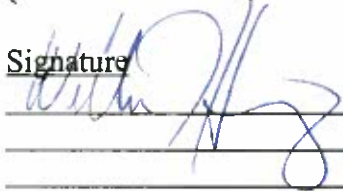
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

  
William Herring  
4620 W. William Cannon  
#49 Austin, Tx 78749

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Jaime A. Gutierrez Jaime A. Gutierrez 4808 Wm Cannon #50  
Austin, TX 78749

Date: August 7, 2008

Contact Name: Charlotte Wallace

Phone Number: 512-554-1773

# P E T I T I O N

Date: August 6, 2008

**File Number:** C14-2008-0115

Address of 4808 Wm Cannon

**Rezoning Request: Austin, Texas 78749**

**To: Austin City Council**

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[illegible]

**P E T I T I O N**

Date: August 6, 2008

**File Number:** C14-2008-0115

Address of 4808 Wm Cannon

**Rezoning Request: Austin, Texas 78749**

**To: Austin City Council**

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**(PLEASE USE BLACK INK WHEN SIGNING PETITION)**

**Signature**

Printed Name

**Address**

**Adrian A. Arriaga**

4620 W. William Cannon, # 59  
Austin, TX 78749

Signature	Printed Name	Address
Angela Alencelle	Angela Alencelle	4620 W. William Cannon #60 Austin TX 78747

## P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2. Sec. 1-2-1 of the Land Development Code, Protest of a Proposed Rezoning, states that:

a proposed rezoning shall not become effective except by the favorable vote of three-fourths of all members of the Council, if a petition has been filed, signed by the owners of 20% or more of

- 1) the land included in such a proposed change, or
- 2) the land immediately adjoining the same and extending 200 ft. there from.

Petitioners state the following reasons for the protest:

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The signatures to follow represent 20% or more of the owners of the land immediately adjoining 4808 W. William Cannon and extending 200 ft. there from. Thank you for your consideration and attention to this matter.

Respectfully Submitted,

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Z
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78
	Gary	Cataldo	6801	Hitching Post	Austin	TX	78
<i>X</i>	Brett	Darter	4812	White Elm Dr	Austin	TX	78
	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78
	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78
	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78
	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78
	George O & Dorothy G	Harrison	6700	One Oak Rd	Austin	TX	78
	David	Hinds	6701	One Oak Rd	Austin	TX	78
	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78
	William C	McMillan	4913	White Elm Dr	Austin	TX	78
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78
	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78
	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78
<i>Charles W II</i>	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78
	Jeff	Warner	6801	One Oak Rd	Austin	TX	78
	Meiba R	Zett	4813	White Elm Dr	Austin	TX	78

Date: August 13, 2008

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773

**P E T I T I O N**

Date: August 6, 2008  
File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Giancarlo Daneri 4620 W. William Cannon #41



P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749

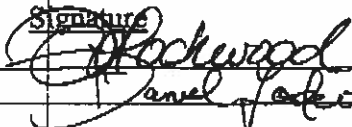
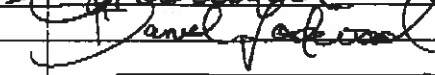
To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

Petitioners state the following reasons for the protest:

- Oak Hill Neighborhood Plan and FLUM as well as City Planning Commission Staff support the subject property as SF-2.
- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negating the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency – surrounding property on all sides is zoned SF, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)


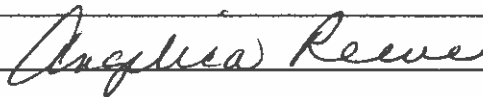
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	RACHEL LOCKWOOD	4620 W. WILLIAM CANNON #61
	DANIEL LOCKWOOD	4620 W. William Cannon #61

Date: August 7, 2008

Contact Name: Charlotte Wallace

Phone Number: 512-554-1773

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Zip
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78749
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78749
	Gary	Cataldo	6801	Hitching Post	Austin	TX	78749
	Brett	Darter	4812	White Elm Dr	Austin	TX	78749
	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78749
	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78749
	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78749
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78749
	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78749
	George O & Dorothy G	Harrison	6700	One Oak Rd	Austin	TX	78749
	David	Hinds	6701	One Oak Rd	Austin	TX	78749
	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78749
	William C	McMillan	4913	White Elm Dr	Austin	TX	78749
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78749
	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78749
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78749
	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78749
	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78749
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78749
	Jeff	Wamer	6801	One Oak Rd	Austin	TX	78749
	Melba R	Zett	4813	White Elm Dr	Austin	TX	78749

Date: 8-17-08

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Zip
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78749
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78749
	Gary	Cataldo	6801	Hitching Post	Austin	TX	78749
	Brett	Darter	4812	White Elm Dr	Austin	TX	78749
<i>Bill Dobrinski Nancy Dobrinski</i>	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78749
	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78749
	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78749
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78749
	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78749
	George O & Dorothy G	Harrison	6700	One Oak Rd	Austin	TX	78749
	David	Hinds	6701	One Oak Rd	Austin	TX	78749
	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78749
	William C	McMillan	4913	White Elm Dr	Austin	TX	78749
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78749
	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78749
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78749
	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78749
	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78749
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78749
	Jeff	Warner	6801	One Oak Rd	Austin	TX	78749
	Melba R	Zett	4813	White Elm Dr	Austin	TX	78749

Date: \_\_\_\_\_

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773



**WESTCREEK RANCH  
HOMEOWNERS ASSOCIATION  
4620 WEST WILLIAM CANNON  
AUSTIN, TEXAS**

**ATTN: WENDY RHOADS  
NEIGHBORHOOD PLANNING AND ZONING  
PH 974-7719 FX 974-6054**

**Refer: Rezoning Request: C14-2008-0115 William Cannon**

**The Board of Directors of Westcreek Ranch Homeowners  
Association has voted in support of the Planning Commission Staff to  
NOT RECOMMEND a zoning change from SF-2 to LR-MU on this property.**

**Thank You,**

A handwritten signature in black ink, appearing to read 'Dan Palmer', is written over a horizontal line.

**Dan Palmer  
President**

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C14-2008-0115

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

James L. Harkin

Your Name (please print) Elizabeth Sue Harkin

4900 White Elm Drive

78749

Your address(es) affected by this application

[Signature]

Signature

6-25-08

Date

Elizabeth Sue Harkin

6-25-08

Comments:

If you use this form to comment, it may be returned to:  
City of Austin  
Neighborhood Planning and Zoning Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C14-2008-0115

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

Diana HajAli Hawad  
Your Name (please print)

4807 White Elm Drive, Austin TX 78749-1619  
Your address(es) affected by this application

Diana HajAli  
Signature

6/25/08  
Date

Comments: I object to the rezoning application. As a long time resident of westcreek neighborhood, I feel that we have adequate shopping and commercial services represented. Approval of commercial will drastically change the neighborhood feel and look and will create noise and environmental pollution. I live directly across the creek from the proposed property, I worry about the direct noise level and depreciation of my home value. Thank you for your consideration.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

**Rhoades, Wendy**

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**From:** RRF [mailto:~~fortune@westernoaks.com~~]  
**Sent:** Monday, June 30, 2008 1:35 PM  
**To:** Rhoades, Wendy  
**Subject:** Zoning Request

Richard R. Fortune  
6809 Hitching Post Cir.  
Austin, Tx 78749  
Western Oaks subdivision.

Subject: Rezoning request at 4808 William Cannon Dr.

Case Number: C14-2008-0115

Dear Ms. Rhoades,

This E-mail is to let you know that I am opposed to any change of zoning at the above address.

I have several issues, to wit:

1. Increased traffic. It is already a disaster, I have a hard enough time simply making a right turn out of my street now. Any commercial enterprise will simply exacerbate that situation.
2. Impervious cover through construction. You should be well-aware that Western Oaks is a 25 plus years old subdivision that lacks adequate drainage. Any additional construction will once again strain an environment that simply lacks the capabilities to deal with heavy rain even over a short duration.
3. This area has enough commercialization. Any additional such ventures/onslaughts would severely erode/degrade/deteriorate my and the neighborhood's quality of life.
4. Domino effect. Where does it end?
5. Environmental impact. Destruction by small slices over time still adds up to major ruination. Must a neighborhood of approximately 400 homes be relentlessly subjected to the greed of a few?

I would like to thank you for your time and consideration. Please reject any change in zoning regarding

6/30/2008

this property. I am fighting for my and my fellow residents quality of life.

Regards,

Richard Fortune

6/30/2008



**Rhoades, Wendy**

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**From:** Janelle Kuhn [jkuhn2@austin.tx.com]  
**Sent:** Wednesday, July 02, 2008 9:50 AM  
**To:** ~~jkuhn2@austin.tx.com~~; Rhoades, Wendy  
**Subject:** Case # C14-2008-0115

Dear Wendy,

I live at 5104 Jacobs Creek Ct. in Western Oaks. I'm writing regarding Case# C14-2008-0115, which is a rezoning request for 4808 William Cannon Drive. This zoning request violates the proposed Oak Hill Future Land Use Map and I am strongly opposed to the property being rezoned. There is enough commercial property on William Cannon already and I feel this is an unnecessary request that will have a negative impact on the neighborhood.

Thank you for taking the residents opinions into consideration on this matter.

Warm regards,

*Janelle*

Janelle Kuhn  
5104 Jacobs Creek Ct.  
Austin, TX 78749

512-291-7934 Office  
512-796-8529 Cell

7/2/2008

**Rhoades, Wendy**

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**From:** Clifford & Jan Culver [cculver@austintexas.com]

**Sent:** Wednesday, July 02, 2008 5:10 PM

**To:** Rhoades, Wendy

**Subject:** Rezoning of 4808 William Cannon

Wendy:

I am the current chair for the Western Oaks Architectural Committee and have come to understand there has been an application to rezone the above referenced property from SF-2 single family to LR Neighborhood Commercial. I am opposed to this application and am aware this would be in violation of the proposed Oak Hill Future Land Use Map.

Are there any other ways or procedures to express my opposition.

Sincerely,  
Clifford Culver

7/2/2008

**Rhoades, Wendy**

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**From:** Timothy Massey ([redacted])  
**Sent:** Wednesday, July 02, 2008 9:54 AM  
**To:** Rhoades, Wendy  
**Cc:** [redacted]  
**Subject:** [Released] Rezoning Case # C14-2008-0115

Dear Wendy,

As a resident of Western Oaks I am writing to indicate that I **do not** support the rezoning of 4808 Wm Cannon from SF-2 to LR.

This change violates the proposed Oak Hill Future Land Use Map and would seriously undermine the effort it took to create a consensus on the Land Use Map and go against the desires of the majority of neighborhood residents and businesses. Additionally, it makes little sense to rezone to commercial as there are numerous commercial spaces available (meaning supply currently exceeds demand) within three different commercial shopping centers as close as 500 meters away on both the north and south side of Wm Cannon.

I hope you will relay my opposition to this change to other city officials.

Please let me know if you have any questions.

Thanks,

Tim Massey  
5108 Jacobs Creek Court  
Austin, TX 78749

512.358.8899  
[redacted]

7/3/2008

## Rhoades, Wendy

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**From:** Deborah Bryant [deborah.bryant@niscam]  
**Sent:** Monday, July 07, 2008 8:41 PM  
**To:** Rhoades, Wendy  
**Subject:** Case # C14-2008-0115

Hello,

We are writing this letter regarding Case # C14-2008-0115. This case is scheduled to be heard on Tuesday July 8th. It is the rezoning of the property at 4808 William Cannon from SF-2 to LR. WE ARE AGAINST THIS ZONING CHANGE. This lot is located right inbetween 2 smaller residential plots.

There is plenty of commercial property all around us in dedicated places.

This unnecessary change would place a commercial property in the middle of a small section of residential properties. Also, it is viotates the proposed Oak Hill Future Land Use Map.

Thank-you for your attention,

Troy and Deborah Bryant  
6905 Treaty Oak Circle  
Austin, Tx 78749

**Rhoades, Wendy**

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**From:** Randy Kolb [mailto:[rkolb@austin.rr.com](mailto:rkolb@austin.rr.com)]  
**Sent:** Tuesday, July 08, 2008 9:14 AM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning Case # C14-2008-0115

Dear Wendy,

As Vice President of the Western Oaks Property Owners Association and a member of the Oak Hill Future Land Use Map subcommittee representing OHAN (as Vice President of OHAN), I would like you to know that we are opposed to the proposed rezoning of 4808 W. William Cannon from SF-2 to LR-MU. The Western Oaks board approved a resolution against this property becoming Neighborhood Commercial.

I have been in talks with the attorney representing 4808 W. William Cannon, Jeffrey Howard about what kind of users would be compatible with the neighborhood and neighborhood plan and these are still ongoing and cordial. Western Oaks is strongly opposed to commercial uses such as the proposed storefront on William Cannon that violates the FLUM and would be the first step in commercializing a residential section of William Cannon. Currently William Cannon grades nicely from heavy commercial at Mopac to condos to residential as you go west. We are discussing other proposed uses of the property with Jeffrey Howard that both better use and increase its value of the property and fit in with the neighborhoods.

--- Randall Kolb  
6916 Robert Dixon Dr.  
Austin, TX 78749  
(512) 891-5341  
[rkolb@austin.rr.com](mailto:rkolb@austin.rr.com)

7/8/2008

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 08, 2008 9:31 AM  
**To:** Rhoades, Wendy; Patterson, Clark; Sirwaitis, Sherri; Harden, Joi  
**Cc:** Rusthoven, Jerry  
**Subject:** FW: I vote NO  
**Importance:** High

Not sure whose case this belongs to.

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**From:** Todd Sherron [mailto:~~todd.todd@toddsherron.com~~]  
**Sent:** Tuesday, July 08, 2008 9:11 AM  
**To:** Anguiano, Dora  
**Subject:** I vote NO  
**Importance:** High

I vote NO to **ALL** of the following:

- The property for sale at 6110 Hill Forest [the old (1938) Westcreek Ranch House and 2 acre lot] – recommended rezoning from Single Family to High Density Single Family which would allow up to 29 units that might be as high as 3 stories tall
- Extension of Brush Country to Monterrey Oaks
- Proposal to zone for commercial properties on Old Fredericksburg Road.

Sincerely,  
Westcreek Neighbor  
Todd Sherron

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci-austin.tx.us/development](http://www.ci-austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C14-2008-0115

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

MELBA R. ZETT

Your Name (please print)

4813 WHITE ELM DR.

Your address(es) affected by this application

Melba R. Zett

Signature

7-7-08

Date

Comments: objections are loss of privacy. the green-  
belt was one of my reasons for buying this  
property. Also possible noise and/or lights  
from run-off. (Cars, parking etc.) Although  
it is a dry creek, with heavy rain, a lot  
of water flows through the creek. Commercial  
zoning could decrease value of my  
property, adjacent to rezoning area.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Monday, July 21, 2008 9:29 AM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Rhoades, Wendy; ~~Wendy Rhoades~~  
**Subject:** FW: Case Number: C14-2008-0115 -- 4808 Wm Cannon Dr.

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**From:** Jennifer Voss [mailto:~~jvoss@planning.com~~]  
**Sent:** Monday, July 21, 2008 5:50 AM  
**To:** Anguiano, Dora  
**Subject:** Case Number: C14-2008-0115 -- 4808 Wm Cannon Dr.

(Ms. Anguiano: I apologize that I accidentally sent a previous email to you before I had finished writing, especially the subject line. Please forward this email. Sorry for the mix-up.)

-----  
Please forward to Planning Commissioners  
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Reference Case Number: C14-2008-0115

Rezoning of 4808 William Cannon Drive

I live in the Westcreek Subdivision where White Elm Drive is located. White Elm Drive is across Williamson Creek from 4808 William Cannon Drive and we oppose the proposed zoning change. We see this as the first of many changes that could result in commercial businesses all along William Cannon where there is now residential. We enjoy the fact that there are single family homes on both sides of Williamson Creek. With all the commercial development on the south side of William Cannon we don't see the need for changes on this side—especially since there is still much space in those developments that has not been built out. This is a big change that will impact our property values and livability in the future.

On a side note, I want to express my sincere thanks for your recent neighborhood-friendly votes for the Westcreek Subdivision. We so appreciate it.

Regards,

7/21/2008



Jennifer Voss

6211 Sun Vista Drive

Westcreek Neighborhood

7/21/2008

## Rhoades, Wendy

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 22, 2008 9:47 AM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Rhoades, Wendy  
**Subject:** FW: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

-----Original Message-----

From: Andrea Shindler [mailto:[ashindler@ci.austin.tx.us](mailto:ashindler@ci.austin.tx.us)]  
Sent: Monday, July 21, 2008 10:36 PM  
To: Anguiano, Dora  
Subject: Fwd: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

1  
> To: Dora.Anguiano@ci.austin.tx.us  
> Subject: Oppose rezoning of 4808 Wm Cannon Drive, Case number  
> C14-2008-0115ef  
>  
> Ms. Anguiano,  
>  
> Please forward the following opposition to the City of Austin Planning  
> Commission.  
>  
> Reference Case Number: C14-2008-0115  
> Rezoning of 4808 William Cannon Drive  
>  
> I live in the Westcreek neighborhood at 4802 White Elm Drive, which is  
> across Williamson Creek from  
> 4808 William Cannon Drive. My family opposes the rezoning of the  
> property at 4808 William Cannon Drive. The rezoning request, if  
> granted, would place retail and/or commercial into an area surrounded  
> by properties zoned SF. This property is in the Edwards Aquifer  
> Recharge Zone and is prone to flooding. Additional runoff into the  
> creek would exacerbate the problem.  
>  
> The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin  
> Planning Staff support this property as Single Family. There is a  
> significant amount of vacant retail space at the shopping centers at  
> Wm Cannon @ Mopac. There is no need for additional retail space on Wm  
> Cannon when there is availability in close proximity.  
>  
> Thank you for your consideration -  
> Paul Shindler  
>

## Rhoades, Wendy

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 22, 2008 9:49 AM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Rhoades, Wendy  
**Subject:** FW: Opposition to Rezoning of 4808 William Cannon Drive

-----Original Message-----

**From:** Chelsea R Wallace [mailto:~~cwallace@rediffmail.com~~]  
**Sent:** Monday, July 21, 2008 5:10 PM  
**To:** Anguiano, Dora  
**Subject:** Opposition to Rezoning of 4808 William Cannon Drive

Ms. Anguiano,

Please forward the following opposition to the City of Austin Planning Commission.

Reference Case Number: C14-2008-0115  
Rezoning of 4808 William Cannon Drive

I live in the Westcreek neighborhood at 4901 White Elm Drive, which is across Williamson Creek from 4808 William Cannon Drive. My family opposes the rezoning of the property at 4808 William Cannon Drive. The rezoning request, if granted, would place retail and/or commercial into an area surrounded by properties zoned SF. This property is in the Edwards Aquifer Recharge Zone and is prone to flooding. Additional runoff into the creek would exacerbate the problem.

The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin Planning Staff support this property as Single Family. There is a significant amount of vacant retail space at the shopping centers at Wm Cannon @ Mopac. There is no need for additional retail space on Wm Cannon when there is availability in close proximity.

Thank you for your consideration -

Chelsea Wallace

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 22, 2008 9:49 AM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Rhoades, Wendy  
**Subject:** FW: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

-----Original Message-----

**From:** cwallace@stedwards.edu [mailto:cwallace@stedwards.edu]  
**Sent:** Monday, July 21, 2008 5:06 PM  
**To:** Anguiano, Dora  
**Cc:** cwallace@stedwards.edu; mbwallace@tea.state.tx.us; pdshindler@sbcglobal.net  
**Subject:** Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

Ms. Anguiano,

Please forward the following opposition to the City of Austin Planning Commission.

Reference Case Number: C14-2008-0115  
Rezoning of 4808 William Cannon Drive

I live in the Westcreek neighborhood at 4901 White Elm Drive, which is across Williamson Creek from 4808 William Cannon Drive. My family opposes the rezoning of the property at 4808 William Cannon Drive. The rezoning request, if granted, would place retail and/or commercial into an area surrounded by properties zoned SF. This property is in the Edwards Aquifer Recharge Zone and is prone to flooding. Additional runoff into the creek would exacerbate the problem.

The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin Planning Staff support this property as Single Family. There is a significant amount of vacant retail space at the shopping centers at Wm Cannon @ Mopac. There is no need for additional retail space on Wm Cannon when there is availability in close proximity.

Thank you for your consideration -

Charlotte Wallace

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 22, 2008 2:31 PM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Rhoades, Wendy  
**Subject:** FW: Case Number: C14-2008-0115

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**From:** Angelica Reeve [mailto:~~areeve@swbell.net~~]  
**Sent:** Tuesday, July 22, 2008 2:21 PM  
**To:** Anguiano, Dora  
**Subject:** Case Number: C14-2008-0115

Ms. Anguiano

Can you please forward this letter to the Planning Commissioners? Thank you!

**TO:** Planning Commissioners  
**RE:** Case Number: C15-2008-0115, Rezoning of 4808 William Cannon Drive

My name is Angelica Reeve and I live directly behind 4808 William Cannon Drive at 4815 White Elm Dr. I support the staff recommendation of **Not recommended**.

I support the staff recommendation for NOT rezoning this property from SF-2 to LR-MU for the following reasons:

1. The increase in economic value of the property up for rezoning will cause the adjacent tracts of land (my property and all my neighbor's) to decrease in economic value.
2. There is existing commercial space in tracts already designated for retail/commercial use at the William Cannon/Brush Country intersection that haven't been fully developed at this time.
3. Rezoning of the subject property would set a precedent for the remaining residential tracts along the William Cannon artery.
4. The property is located in the Edwards Aquifer Recharge Zone.
5. Commercial development of the subject property would further aggravate flooding along Williamson Creek, an already flood-prone area.
6. Wildlife has been affected by the loss of native habitat on the subject property.

Thank you for considering my concerns.

Angelica Reeve  
4815 White Elm Dr.  
~~areeve@swbell.net~~

## Rhoades, Wendy

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 29, 2008 1:06 PM  
**To:** Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins  
**Cc:** Bhakta, Minal; Meredith, Maureen; Rhoades, Wendy; Montes, Gregory  
**Subject:** FW:

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**From:** JD Patton [mailto:~~jd.patton@att.net~~]  
**Sent:** Tuesday, July 29, 2008 12:30 PM  
**To:** Anguiano, Dora  
**Subject:**

To Dora Anguiano,

I am sending you this email to voice my concerns about the issues in the Westcreek subdivision. My family and I have lived here approximately four years and have enjoyed every moment of it. My wife and I have 2 children ages 6 and 2. We enjoy riding our bikes and walking through the neighborhood. We have noticed the kindness, friendliness, and generosity of other neighbors. It is a quiet and clean neighborhood and great for raising a family. Everyone enjoys improving and working on their houses and lawns. Which in the long run, will improve the value of the neighborhood and the beauty. Westcreek is an older neighborhood and it has been able to maintain its integrity as a great place to live. Changing 6110 Hill Forest into a high density single family residence, extending Brush Country to Monterrey Oaks, and adding commercial properties on Old Fredericksburg Road would be a devastation to the ambience and character of our HOME(neighborhood). If anyone on the planning commission hasn't driven in our neighborhood, please do. You will see a clean, beautiful, and lovely place where we call home. We have a distinct neighborhood and we would like to preserve it. These issues would add more traffic, litter, and a possible increase in crime due to easy access to the neighborhood and rezoning to a high density family resident. Not only that, it could and would decrease the value of our homes. I don't know what neighborhood the Planning Commission Board lives but, I can guarantee if these issues were in theirs, they wouldn't want it. Austin talks about preservation , i.e the greenbelt, and conservation. This would destroy an area where nature is already established and would be destructive to the wildlife that lives there. Furthermore, it would pollute our aquifers and creek. Please do what it is right to help keep our neighborhood pristine.

Respectively,

Lt. JD Patton

Oak Hill FD and resident of Westcreek

7/29/2008

## Rhoades, Wendy

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**From:** Roger Welsch [mailto:rwelsch@westernoaks.org]  
**Sent:** Tuesday, August 05, 2008 6:55 PM  
**To:** Rhoades, Wendy  
**Subject:** FW: rezoning request

We agree with the position of the Western Oaks Board and are opposed to the rezoning request for 4808 William Cannon, Case #14-2008-0115.

Mary Lee and Roger Welsch  
6807 One Oak Rd.  
Austin, TX 78749  
(512) 892-1035

## Rhoades, Wendy

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**From:** Dena Flynn [denaflynn@att.net]  
**Sent:** Wednesday, August 06, 2008 11:51 AM  
**To:** Rhoades, Wendy  
**Subject:** Zoning change of Wm. Cannon case/3 C14-2008-0115

My family has lived in this area for ten years, had someone told me they were going to deface my neighborhood in ten years we would have thought twice about buying our home in Western Oaks. I tire of seeing the dead animals up and down Wm. Cannon because the developers came in and bulldozed right over their habitat. I loved having the deer behind my house, I loved having the raccoons and yes even the skunks in my backyard. Now I find out someone thinks it's a good idea to chop up a little bit more of my heaven. People who do not even live in my neighborhood are making decisions for my family. NO MORE!! This is my hometown and I am becoming embarrassed of the people that allow over developing, we have three fitness facilities within 1 1/2 miles of each other, why? When do the homeowners count.  
Dena Flynn



**Rhoades, Wendy**

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**From:** Eric & Staci Frey [mailto:ericy@oakhill.net]  
**Sent:** Wednesday, August 06, 2008 1:13 PM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning case C14-2008-0115, Marcus Whitfield

As a resident of the Western Oaks neighborhood (6810 Terra Oak Cir), I am writing to **oppose** developer attempts to rezone 4808 William Cannon Dr from residential to commercial. Such a zoning change would put my property value at risk, since I live at the end of a cul-de-sac that faces the 4808 Wm Cannon property. Additionally, such zoning would significantly increase the traffic and noise in front of my home.

Just 4 months ago my family moved into the Western Oaks neighborhood after several years of looking for the opportunity to do so. We moved there because of the neighborhood's long history of being residential, quiet, yet easily accessible. We anticipated the surrounding area to remain residential and hope to live in this home until we die (some 30, 40, or 50 years from now). We want our neighborhood to continue as one that is quiet, well-maintained, and of good value.

Please note that I am a business owner, maintaining an office just one mile away from the proposed rezoning area. I value economic development, but the area surrounding 4808 Wm Cannon has seen much commercial development over the last few years. I think an appropriate balance has been achieved. Further commercialization threatens that balance between respect for existing neighborhoods and commercial development.

Please respect the recently negotiated Future Land Use Map for the Oak Hill area and deny developer requests to rezone 4808 Wm Cannon (case C14-2008-0015).

Thank you,  
Dr. Eric Frey and family  
6810 Terra Oak Cir

8/6/2008

**Rhoades, Wendy**

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**From:** Timothy Massey [mailto:tim789@comcast.net]  
**Sent:** Wednesday, August 06, 2008 2:42 PM  
**To:** Rhoades, Wendy  
**Subject:** I am Against Rezoning!! - Re: C14-2008-0115, Marcus Whitfield  
**Attachments:** DefendWmCannon\_Flyer(V.4).doc

Wendy,

I am emailing you to tell you that I disagree with rezoning the subject property on Wm Cannon.

I have attached a flyer that was distributed today in Western Oaks and a few other areas.

Please note a significant group of residents in the area are establishing a website

< [www.defendWmCannon.com](http://www.defendWmCannon.com) >

in an effort to get out information on the commercialization of residential sections of Wm Cannon.

I understand the Western Oaks board has agreed with the developers on the rezoning, however, I do not believe that position reflects the vast majority of homeowners in Western Oaks and I will attend the City Council Meeting tomorrow to express that viewpoint.

Thanks,

Tim Massey  
5108 Jacobs Creek Court  
Austin, TX 78749

8/6/2008

# Attention Fellow Homeowners!!

Western Oaks, Westcreek, Beckett Estates and Other  
Neighborhoods Bordering Wm Cannon Drive...

## ***Your Property Value is at Risk!***

Developers are attempting to change the zoning from  
residential to commercial for 4808 Wm Cannon before our  
recently negotiated Future Land Use Map goes into effect.

Bottom Line: Developers want Wm Cannon to go  
commercial in an area zoned for housing!!

**You can stop any rezoning by contacting the City Council  
& Austin Planning Commission by email or phone:**

Reference: Case # C14-2008-0115, Marcus Whitfield  
Contact:

1. The City Council using the group email located at:  
<http://www.ci.austin.tx.us/council/groupemail.htm>
2. The Austin Planning Commission, Wendy Rhoades  
[Wendy.Rhoades@ci.austin.tx.us](mailto:Wendy.Rhoades@ci.austin.tx.us)

**Tell Them You Do Not Support Rezoning!**

**You Must Email or Call Before The  
Thursday, 7 August City Council Meeting!!**

There are also plans to turn the Wm Cannon side of Beckett Estates into a  
commercial strip center. For more information about all of these issues and  
to sign an electronic petition, go to:

[www.DefendWmCannon.com](http://www.DefendWmCannon.com)

## Rhoades, Wendy

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**From:** Gael A Simons [mailto:gsimons@juno.com]  
**Sent:** Wednesday, August 06, 2008 3:11 PM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning of 4808 Wm Cannon

Reference:Case# C14-2008-0115, Marcus Whitfield

Ms. Rhoades,

Developers want to change the residential zoning of 4808 Wm Cannon to commercial.

This is a well established residential neighborhood with the expectation that that property would remain zoned residential.

I am totally opposed to a change to commercial.

Thank you,

Gael Simons  
5100 Dusty Trail Cove  
78749

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**Rhoades, Wendy**

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**From:** Linda Warner [linda.warner@westernoaks.com]  
**Sent:** Wednesday, August 06, 2008 4:56 PM  
**To:** Rhoades, Wendy  
**Cc:** lindyw@austin.rr.com  
**Subject:** Rezoning of Wm Cannon Drive

Ms. Rhoades,

We are definitely opposed to the proposed rezoning of William Cannon Drive (Case # C14-2008-0115, Marcus Whitfield). The roads are already congested. There is unused commercial space at the "Y" and the large area between Mopac and Brush Country is still under construction. PLEASE leave this section of William Cannon alone! Don't put our property value at risk!

Sincerely,

Mike & Linda Warner

Western Oaks

8/7/2008

**Rhoades, Wendy**

---

**From:** Mindy Cavazos [mailto:~~mcavazos@cityofhouston.com~~]  
**Sent:** Wednesday, August 06, 2008 5:25 PM  
**To:** Rhoades, Wendy  
**Subject:** Case#C14-2008-0115, Marcus Whitfield

Dear Ms. Rhoades, I understand that developers are attempting to change the zoning from residential to commercial for 4808 Wm Cannon before our recently negotiated Future Land Use Map goes into effect. Our property value is highly at risk if Wm Cannon goes commercial in an area zoned for housing. My daughter, Teresa and I are totally against this. We ask that you please not support rezoning this area. Thank for all the work that you do for our city and we ask that you listen to the homeowners of Western Oaks, Westcreek, Beckett Estates and other Neighborhoods Bordering Wm Cannon drive who will be affected by this. Sincerely, Guadalupe and Teresa Cavazos

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**Rhoades, Wendy**

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**From:** Mary & Don Johnson [mailto:maryj@desert-oak.com]  
**Sent:** Wednesday, August 06, 2008 5:35 PM  
**To:** Rhoades, Wendy  
**Subject:** CASE #C14-2008-0115, Marcus Whitfield: WE DO NOT SUPPORT REZONING !!!  
**Importance:** High

Dear Ms. Rhoades,

Please do not allow 4808 West William Cannon to be rezoned to commercial. Recently, there has been a negotiated Future Land Use Map that has not yet gone into effect. Please stop any rezoning. Please be sure this land remains zoned for housing. Thank you.

Don & Mary Johnson

5011 Desert Oak Circle

Austin, TX 78749-2216

8/7/2008

**Rhoades, Wendy**

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**From:** [REDACTED]  
**Sent:** Wednesday, August 06, 2008 10:51 PM  
**To:** Rhoades, Wendy  
**Subject:** 4808 W. William Cannon Planning

Is it true that the 4808 W. William Cannon area may go commercial?

Please hear my voice that I do NOT want this to happen. I live in Western Oaks at 7006 One Oak Road.

Is there something more I can do? Please hear me.

Reference Case #C14-2008-0115

Bill Hatcher  
771-1115 cellular  
7006 One Oak Road  
Austin, TX 78749

---

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8/7/2008



**Rhoades, Wendy**

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**From:** Vickie Leady [VLEADY@CANNONCITY.ORG]  
**Sent:** Thursday, August 07, 2008 6:52 AM  
**To:** Rhoades, Wendy  
**Subject:** Case # C14-2008-0115, Marcus Whitfield

Ms. Rhoades,

My family and I live in the Western Oaks subdivision immediately off of William Cannon near Beckett Street. We do not support rezoning in our area (including 4808 William Cannon) from residential to commercial use. Please seek input from the various homeowners associations in the vicinity, such as the Western Oaks Homeowners Association, and support coordinated, long-term planning for the families who live in this area.

Thank you,

Vickie & Don Leady

8/7/2008

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Thursday, August 07, 2008 9:24 AM  
**To:** Bhakta, Minal; Montes, Gregory; Rusthoven, Jerry; Rhoades, Wendy  
**Cc:** Arzola, Sylvia  
**Subject:** FW: Item #88 on the Agenda for Thursday, August 7; C14-2008-0129-East Oak Hill Combined Neighborhood Planning Area

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**From:** Jay D. Nicholson [mailto:~~nicholsonj@att.net~~@yahoo.com]  
**Sent:** Thursday, August 07, 2008 4:43 AM  
**To:** Anguiano, Dora  
**Cc:** nicholsonj@att.net  
**Subject:** Item #88 on the Agenda for Thursday, August 7; C14-2008-0129-East Oak Hill Combined Neighborhood Planning Area

Mayor Winn and our City Council,

I and my family are residents of the Westcreek Neighborhood, a part of the East Oak Hill Neighborhood Plan and we now support the Oak Hill FLUM, which was revised on July 8 at the Planning Commission Hearing which I attended. My family and we the neighborhood as a community are deeply concerned about the property at 6110 Hill Forest being kept as previously zoned as "Single Family", as decided in the previous Planning Commission meeting.

If you will allow me to show my geekiness ... "The needs of the many ... outweigh the needs of the few. Or the one ...". By that, I mean that by not revising the zoning of this parcel from its original designation of Single Family will most certainly be to the overall detriment of this area and particularly our neighborhood. Too much traffic of autos and large service vehicles, commercial enterprise, and urban sprawl that would (most likely) permeate into this historically quiet residential community is not what the families and our children want nor need in this quiet friendly neighborhood. There is a plethora of available and as yet undeveloped and more accurately zoned acreage on the South side of William Cannon Drive, between that location and the nearby Arbor Walk, and all along the Eastward William Cannon corridor already zoned other than Single Family.

We are happy to be residents and citizens and tax payers of our Austin who support our city government; Thank you for the opportunity to participate in our democracy and allow us to let our elected representatives know how we feel about this issue.

Please ensure that the property designated as 6110 Hill Forest remains zoned as "Single Family".

Respectfully,  
The Jay D. Nicholson family.  
6108 Smith Oak Trail  
Austin, Texas 78749-1362  
Active contact (local) 217-7474

## Rhoades, Wendy

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**From:** Dawn Karboski [dkarboski@austin.rr.com]  
**Sent:** Thursday, August 07, 2008 10:26 AM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning Case C14-2008-0115

To: Wendy Rhoades, Austin Planning Commission

RE: Rezoning Case C14-2008-0115, Marcus Whitfield

Dear Wendy Rhoades,

I am a home owner in the neighborhood of Western Oaks, one of the original neighborhoods in this area of South Austin. I am writing to inform you that I am against the effort by the Marcus Whitfield group to change the 4808 William Cannon address from residential to commercial. Our area of town has seen a lot of commercial growth and development over the last 10 years, but the commercial growth has been largely in partnership with neighborhood communities. This effort by the Whitfield group is an attempt to circumvent the recently negotiated Future Land Use Map that has not yet gone into effect. Please help protect the neighborhoods where Austin citizens raise their families and do not approve this rezoning request!

Sincerely,

Dawn Karboski

## Rhoades, Wendy

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**From:** James Karboski [mailto:James.Karboski@austin-tx.gov]  
**Sent:** Thursday, August 07, 2008 11:34 AM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning Case C14-2008-0115, Marcus Whitfield

Dear Ms. Rhoades,

I am a home owner in the neighborhood of Western Oaks, one of the original neighborhoods in this area of South Austin. I am writing to inform you that I am against the effort by the Marcus Whitfield group to change the 4808 William Cannon address from residential to commercial. Our area of town has seen a lot of commercial growth and development over the last 10 years, but the commercial growth has been largely in partnership with neighborhood communities. This effort by the Whitfield group is an attempt to circumvent the recently negotiated Future Land Use Map that has not yet gone into effect. Please help protect the neighborhoods where Austin citizens raise their families and do not approve this rezoning request!

Sincerely,

James A. Karboski

**Rhoades, Wendy**

---

**From:** Sabas Flores [mailto:sabasf@kippflores.com]  
**Sent:** Thursday, August 07, 2008 2:43 PM  
**To:** Rhoades, Wendy  
**Subject:** Case #C14-2008-0115, Marcus Whitfield

Wendy/Marcus, I am an architect with Kipp Flores Architects and do not support the rezoning of 4808 Wm. Cannon to go commercial. William Cannon's traffic has become very dangerous with the development of all the commercial area at Mopac/William Cannon and Escarpment/William Cannon area, it has become very dangerous to just get out of our streets because of the speeds/amount of traffic on Wm. Cannon. I do not want another Galleria area (Hwy. 71/620), that has become a nightmare and more construction is allowed without the upgrading of our traffic systems.

**Sabas Flores A.I.A.**  
**11776 Jollyville Road #100**  
**Austin, Texas 78759**  
**512.335.5477**  
**512.335.5852 (Fax)**

8/7/2008

**Rhoades, Wendy**

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**From:** [REDACTED]  
**Sent:** Thursday, August 07, 2008 3:49 PM  
**To:** Rhoades, Wendy  
**Subject:** C14-2008-0115

I support the City Staff recommendation to maintain single family zoning for the property at 4808 William Cannon for the reasons indicated by City Staff.

Sara Summers  
5009 Desert Oak Circle  
Austin, Texas 78749

---

It's time to go back to school! Get the latest trends and gadgets that make the grade on [AOL Shopping](#).

**Rhoades, Wendy**

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**From:** John Smolucha [mailto:john.smolucha@att.net]  
**Sent:** Thursday, August 07, 2008 5:11 PM  
**To:** Rhoades, Wendy  
**Cc:** Janis Smolucha  
**Subject:** Case # C14-2008-0115

Dear Ms. Rhoades,

I am writing to let you know that both my wife and I are in protest of the attempted re-zoning of the residential property located at 4804 Wm Cannon Drive to commercial zoning. We have more than enough idle and / or empty commercial units within two blocks of that location. I cannot understand how the Commission could even consider the re-zoning of this residential lot to commercial use given the negative impact it would have on the adjoining homes and families.

I have attended previous zoning meetings waiting to speak on this agenda item – but it was superseded by the Future Land Use discussion. I cannot be there in person tonight so I am voicing my concern and protest in email.

I would very much appreciate your acknowledgement of receipt of this protest.

Sincerely,  
John and Janis Smolucha  
7105 Fence Line Drive  
Austin, TX 78749

512.892.0949

8/11/2008

Reference Case Number: C14-2008-0115  
Rezoning of 4808 William Cannon Drive

August 7, 2008

Dear Mayor Wynn,

I have lived in the Westcreek neighborhood at 4807 White Elm Dr since 1986. My home is less than 300 ft. across Williamson Creek from 4808 William Cannon Drive.

I understand that the city council will be considering an application for a zoning change for 4808 William Cannon Drive. OPPOSE the proposed LR zoning change.

I support the City of Austin Planning Commission Staff recommendation that the subject property remain zoned as single family land use - SF-2.

There are plenty of available commercial spaces at the major intersections around us and no pressing need for mid-block commercial expansion, especially, expansion that encroaches upon Williamson Creek.

Austin recently won a coveted 6 year platinum award for our water quality. This was a culmination of city and community efforts to keep our water clean. Rezoning would put pressure on an already sensitive area as the proposed property is located on the Edwards Aquifer Critical and Transition Zone, as well as the Williamson Creek-Recharge Zone. The property extends completely across Williamson Creek from one bank to the next and is not limited midway as most property lines do along the creek area. This is of critical concern as Williamson Creek is prone to flash flooding when we are blessed with heavy rains. Wildlife sighted along the creek banks includes foxes; rabbits; deer; owls and migrating birds; and many other reptile and wildflower species native to Texas - all of which are an important part of the food chain. It is great fun for children growing up in the neighborhood who explore the dry creek bed during the spring and summer. In the rainy season, you can hear the roar of the water sweeping through the creek as it and takes its course from afar.

I am not opposed to change that is well-thought out and respectful of the environment. However, I know that more commercial property mid-block to the Williamson Creek Greenbelt area will add to the already evident displacement/migration of native species into our neighborhood due to loss of native habitat.

For the foregoing reasons, I urge you to vote to keep the permitted zoning of the property at 4808 William Cannon as SF2.

Thank you for your time and attention to this matter.

Sincerely,

Diana HajAli  
4807 White Elm Drive  
Austin, TX 78749  
512-892-2169 (H)  
512-467-0071 (W)



**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Monday, August 11, 2008 9:27 AM  
**To:** Rhoades, Wendy  
**Cc:** Arzola, Sylvia  
**Subject:** FW: Reference Case Number: C14-2008-0115, Rezoning of 4808 William Cannon

Wendy,  
I figured it was your case since it's your area; here's another one.

---

**From:** Susan Monsees [mailto:[susanmonsees@aol.com](mailto:susanmonsees@aol.com)]  
**Sent:** Saturday, August 09, 2008 3:12 PM  
**To:** Anguiano, Dora  
**Subject:** Reference Case Number: C14-2008-0115, Rezoning of 4808 William Cannon

Dear Members of the Zoning and Planning Commission,  
I live in the Westcreek neighborhood at 5306 Summerset Trail, which is across Williamson Creek from 4808 William Cannon Drive.  
I OPPOSE the proposed zoning change.  
I support the City of Austin Planning Commission Staff recommendation that the subject property remain zoned as single family land use - SF-2.  
There are plenty of available commercial spaces at the major intersections around us and no need for mid-block commercial expansion, especially, expansion that encroaches upon Williamson Creek. To allow this property to be used for commercial purposes would certainly lower the quality of life in the neighborhood. William Cannon has become so developed commercially on the border of our neighborhood, to allow commercial development into the neighborhood is just too much. Please protect our neighborhood.  
I also feel that rezoning would put pressure on an already sensitive area as the property is located on the Edwards Aquifer Critical and Transition Zone, as well as the Williamson Creek-Recharge Zone. The property goes completely across Williamson Creek and does not stop midway as most property lines do along the creek area. This is of huge concern as Williamson Creek is prone to flash flooding.  
I know more commercial property mid-block to the Williamson Creek Greenbelt area will add to the already evident displacement/migration of native species into our neighborhood due to loss of native habitat.

Sincerely,  
Susan Monsees

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Got Game? Win Prizes in the Windows Live Hotmail Mobile Summer Games Trivia Contest [Find out how.](#)

8/11/2008

## Rhoades, Wendy

---

**From:** Anguiano, Dora  
**Sent:** Thursday, August 14, 2008 9:16 AM  
**To:** Rhoades, Wendy  
**Subject:** FW: Reference Case Number: C14-2008-0115 Rezoning of 4808 Wm Cannon

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Tuesday, August 12, 2008 7:52 AM  
To: Anguiano, Dora  
Subject: Reference Case Number: C14-2008-0115 Rezoning of 4808 Wm Cannon

We live in the Westcreek neighborhood at 4502 Langtry Lane which is across Williamson Creek from 4808 William Cannon Drive.

We OPPOSE the proposed zoning change.

We support the City of Austin Planning Commission Staff recommendation that the subject property remain zoned as single family land use - SF-2.

There are plenty of available commercial spaces at the major intersections around us and no need for mid-block commercial expansion, especially, expansion that encroaches upon Williamson Creek.

We also feel that rezoning would put pressure on an already sensitive area as the property is located on the Edwards Aquifer Critical and Transition Zone, as well as the Williamson Creek-Recharge Zone. The property goes completely across Williamson Creek and does not stop midway as most property lines do along the creek area. This is of huge concern as Williamson Creek is prone to flash flooding.

We know more commercial property mid-block to the Williamson Creek Greenbelt area will add to the already evident displacement/migration of native species into our neighborhood due to loss of native habitat.

Thank you,  
Linda & David Bryant

**Rhoades, Wendy**

---

**From:** Anguiano, Dora  
**Sent:** Thursday, August 14, 2008 9:12 AM  
**To:** Rhoades, Wendy  
**Subject:** FW: C15-2008-0115, Rezoning of 4808 William Cannon

I did not forward to PC, not sure if this was something on Tuesday's agenda.

---

**From:** Angelica Reeve [mailto:[areeve@swbell.net](mailto:areeve@swbell.net)]  
**Sent:** Tuesday, August 12, 2008 3:33 PM  
**To:** Anguiano, Dora  
**Subject:** C15-2008-0115, Rezoning of 4808 William Cannon

Ms. Anguiano

Can you please forward this letter to the Planning Commissioners? Thank you!

TO: Planning Commissioners  
RE: Case Number: C15-2008-0115, Rezoning of 4808 William Cannon Drive

My name is Angelica Reeve and I live directly across Williamson Creek from 4808 William Cannon Drive at 4815 White Elm Dr. You will be addressing this rezoning issue tonight and I wanted you to know that I support the staff recommendation of **Not recommended**.

I support the staff recommendation for NOT rezoning this property from SF-2 to LR-MU for the following reasons:

1. There is existing commercial space in tracts already designated for retail/commercial use at the MoPac/William Cannon/Brush Country intersections that haven't been fully developed at this time.
2. Rezoning of the subject property would set a precedent for the remaining residential tracts along the William Cannon artery and no one wants to see another Highway 183 spring up in southwest Austin.
3. The property is located in the Edwards Aquifer Recharge Zone, Drinking Water Protection Zone, and the endangered species survey area.
4. Commercial development of the subject property would further aggravate flooding along Williamson Creek, an already flood-prone area.
5. Wildlife has been affected by the loss of native habitat on the subject property.

Thank you for considering my concerns.

Angelica Reeve  
4815 White Elm Dr.  
[areeve@swbell.net](mailto:areeve@swbell.net)

**Meredith, Maureen**

---

**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Wednesday, September 17, 2008 8:55 AM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: Diana Hamad  
Address: 4807 White Elm Drive  
Email Address: [REDACTED]  
Phone: 512-892-2169  
State: TX  
Zip Code: 78749

Message: I understand that Jeff Howard will be presenting his client's plans for a rezoning change of the property located at 4808 William Cannon Drive. I wanted to let the Contact Team know that I am OPPOSED to rezoning of the property located at 4808 Wm Cannon. I also wanted to let the contact team know that we have a signed petition to the city council with 74% of the property land owners within 200 ft of this property opposed to the change. Thank you!

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

**Meredith, Maureen**

---

**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Wednesday, September 17, 2008 8:51 AM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: Charlotte Wallace  
Address: 4901 White Elm Drive  
Email Address: [REDACTED]  
Phone: 512-554-1773  
State: Austin, texas  
Zip Code: 78749

Message: Oak Hill Neighborhood Contact Team:

I wanted to let you know that I am opposed to the rezoning of the property at 4808 Wm Cannon for commercial use for the following reasons:

1. Adjacency and precedence: all property within approximately 400 feet of the subject property is zoned SF
2. This property is in the Edwards Aquifer Recharge Zone, Critical Drinking Water Protection Zone and is in the Williamson Creek Watershed.
3. 100% of owner-occupied properties within 200' of this property support SF-2 as witnessed by a petition to the City Council.

Respectfully,

Charlotte Wallace

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

**Meredith, Maureen**

---

**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Wednesday, September 17, 2008 8:38 AM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

**Name:** Shirley Roberts  
**Address:** 4804 White Elm Dr.

**Email Address:** [REDACTED]  
**Phone:** 512-848-8314  
**State:** Tx  
**Zip Code:** 78749

**Message:** I wanted to let the Contact Team know that I am OPPOSED to rezoning of the property located at 4808 Wm Cannon. I also wanted to let the contact team know that we have a signed petition to the city council with 74% of the property land owners within 200 ft of this property opposed to the change.

I also have a question. Does Mr Jeff Howard who is representing the land owner in this case also represent someone on this contact team in another land rezoning case?

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

**Meredith, Maureen**

---

**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Tuesday, September 16, 2008 9:30 PM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: Paul Shindler  
Address: 4802 White Elm Dr.  
Email Address: [REDACTED]  
Phone: 892-0175  
State: TX  
Zip Code: 78749

Message: I am interested in more information on Oak Hill's Neighborhood Plan. Please contact me by means of information; which, I have provided.

"yourWebaddress".com

I have become aware of a proposal to seek your support for a zoning change from SF2 to LO MU at the address of 4808 William Cannon Drive. I would oppose such a change for many reasons. Some reasons which directly relate to zoning are:

- 1) One of few remaining neighborhood lots which still have the large lot, residential, country feel that we value.
- 2) It is completely surrounded by single family property on all it's boundaries.
- 3) Would establish a mid-block commercial lot rather than a more desirable location at a traffic controlled major intersection.

Thank-you for your consideration,  
Paul Shindler

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

**Meredith, Maureen**

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**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Monday, September 15, 2008 10:31 PM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

**Name:** Angelica Reeve  
**Address:** 4815 White Elm Dr.  
**Email Address:** [REDACTED]  
**Phone:** 512-892-3501  
**State:** TX  
**Zip Code:** 78749

**Message:** Oak Hill Neighborhood Contact Team-- It has been brought to my attention that at your meeting on Sept. 17th the persons owning 4808 William Cannon want to change the FLUM from an SF-2 to a LO. I think that your original designation of SF-2 was correct for the reasons listed on your home page. Over 75% of the property owners surrounding 4808 William Cannon are against this change and support the original FLUM designation. Please strongly consider leaving the property as SF-2.

Thank you very much.

Angelica Reeve  
4815 White Elm Dr.  
512-892-3501  
areeve@swbell.net

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>



**Meredith, Maureen**

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**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Thursday, September 18, 2008 8:45 AM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: Charlotte Wallace  
Address: 4901 White Elm Drive  
Email Address: [REDACTED]  
Phone: 512-554-1773  
State: Austin, Texas  
Zip Code: 78749

Message: Mr. Richardson and members of the OHNCT,

I wish to thank you for your time last night and for facilitating a discussion between Jeff and the neighborhood. It is appreciated.

I also wish to clarify an item I mentioned last night. When I talked of the Army Corps of Engineers/City of Austin Williamson Creek Study, I may have neglected to state that the City was trying to purchase land on Williamson Creek east of Sunset Valley. I only brought it up due to the cost of erosion and flood control on Williamson Creek as a result of additional impervious cover. It was not my intent to make you believe that the City was trying to purchase the 'Westcreek' portion of Williamson Creek. Sandy brought this to my attention this morning.

Lastly, I want to let you know that I believe the format of your meeting is very effective for facilitation of open discussion. More so than if you were to adopt Robert's rules of order.

Respectfully,

Charlotte Wallace

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

**Meredith, Maureen**

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**From:** Oak Hill's Neighborhood Plan [root@ohplan.com]  
**Sent:** Wednesday, September 17, 2008 8:58 AM  
**To:** undisclosed-recipients

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: charlotte wallace

Address:

Email Address: [REDACTED]

Phone:

State:

Zip Code: 78749

Message: I neglected to mention that this rezoning is opposed by the Planning Commission and Staff, Oak Hill Neighborhood Plan and FLUM, as well as residents on all four sides of the subject property.

Thank you,

Charlotte

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>

## Rhoades, Wendy

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**From:** Meredith, Maureen  
**Sent:** Wednesday, September 17, 2008 8:05 AM  
**To:** Rhoades, Wendy; Bhakta, Minal; Montes, Gregory  
**Subject:** FW: 4808 William Cannon Zoning change

FYI. See below.

Maureen

Maureen Meredith, Principal Planner  
City of Austin, Neighborhood Planning and Zoning  
505 Barton Springs Road, 5th Floor  
Austin, TX 78704  
Phone: (512) 974-2695/FAX: (512) 974-7757 maureen.meredith@ci.austin.tx.us  
www.ci.austin.tx.us/planning -----Original Message-----  
From: Oak Hill's Neighborhood Plan [mailto:root@ohplan.com]  
Sent: Tuesday, September 16, 2008 9:30 PM  
To: undisclosed-recipients  
Subject:

Message from Oak Hill Neighborhood Plan's website!  
The following is their contact information and a message.

Name: Paul Shindler  
Address: 4802 White Elm Dr.  
Email Address: [REDACTED]  
Phone: 892-0175  
State: TX  
Zip Code: 78749

Message: I am interested in more information on Oak Hill's Neighborhood Plan. Please contact me by means of information; which, I have provided.

"yourWebaddress".com

I have become aware of a proposal to seek your support for a zoning change from SF2 to LO MU at the address of 4808 William Cannon Drive. I would oppose such a change for many reasons. Some reasons which directly relate to zoning are:

- 1) One of few remaining neighborhood lots which still have the large lot, residential, country feel that we value.
- 2) It is completely surrounded by single family property on all it's boundaries.
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Thank-you for your consideration,  
Paul Shindler

Oak Hill's Neighborhood Plan  
<http://www.ohplan.com>



McLEAN & HOWARD, L.L.P.

1004 Mopac Circle  
Suite 100  
Austin, TX. 78746  
phone 512.328.2008  
fax 512.328.2409

[www.mcleanhowardlaw.com](http://www.mcleanhowardlaw.com)

July 3, 2008

Ms. Wendy Rhoades  
Case Manager  
City of Austin  
505 Barton Springs  
Austin, TX 78701

Via Email

Re: Case Number: C14-2008-0115 – William Cannon  
Property Address: 4808 West William Cannon Drive

Dear Ms. Rhoades:

I am writing on behalf of the owner of 4808 West Williams Cannon Drive in the above-referenced zoning case to request a postponement of the July 8, 2008 Planning Commission hearing. My client has contacted adjacent neighborhoods to discuss the proposed zoning and wishes to have more time to conduct these discussions prior to Planning Commission consideration. Therefore, I am requesting a postponement on behalf of my client to the next available Planning Commission meeting. Please note this is my client's first request for a postponement.

Thank you for your consideration of this matter. Should you have any questions, please feel free to call me.

to July 22, 2008

Sincerely,

Jeffrey S. Howard

cc: Randy Kolb, WOPOA  
Sandy Baldrige, Westcreek Neighborhood Association.

## Rhoades, Wendy

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**From:** Jeff Howard [mailto:JeffHoward@mcleanhowardllp.com]  
**Sent:** Thursday, January 29, 2009 10:46 AM  
**To:** Rhoades, Wendy  
**Cc:** Tsg0103@aol.com; Gail Whitfield  
**Subject:** RE: Revisions to ordinance for 4808 William Cannon

Wendy,

I am writing to let you know that the applicant and the neighborhood are jointly requesting a postponement of this zoning case and the related FLUM case (Items Nos. 40 & 41) to February 12, 2009. As you know, Council approved on first reading a CO that would limit impervious cover to that which currently exists on the Property. Unfortunately, the applicant has been unable to complete its final analysis of the definitive amount of such impervious cover. The neighborhood and the applicant agree that the 2 cases should not go forward until this is determined. I apologize for any inconvenience this has caused. Thank you for your attention to this matter.

Jeffrey S. Howard  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100  
Austin, Texas 78746  
Telephone (512) 328-2008  
Facsimile (512) 328-2409  
www.mcleanhowardllp.com

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-----Original Message-----

**From:** Rhoades, Wendy [mailto:Wendy.Rhoades@ci.austin.tx.us]  
**Sent:** Wednesday, January 28, 2009 5:34 PM  
**To:** Jeff Howard  
**Subject:** RE: Revisions to ordinance for 4808 William Cannon

Jeff,  
Have you received an updated impervious cover figure yet, and is there a survey or documentation that shows these calculations?

Wendy

-----Original Message-----

**From:** Jeff Howard [mailto:JeffHoward@mcleanhowardllp.com]  
**Sent:** Tuesday, January 27, 2009 4:11 PM  
**To:** Rhoades, Wendy  
**Subject:** RE: Revisions to ordinance for 4808 William Cannon

I'll get you both tomorrow. We have had both an engineer and a surveyor look at the impervious cover and it looks like the 8100 square feet we assumed was based on old survey and not on conditions that exist currently. It looks like impervious cover will be about 10% (approx. 9500 square feet) but we are getting a surveyor to verify.

Jeffrey S. Howard  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100

Austin, Texas 78746  
Telephone (512) 328-2008  
Facsimile (512) 328-2409  
www.mcleanhowardlaw.com

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-----Original Message-----

From: Rhoades, Wendy [mailto:Wendy.Rhoades@ci.austin.tx.us]  
Sent: Tuesday, January 27, 2009 3:48 PM  
To: Jeff Howard  
Subject: FW: Revisions to ordinance for 4808 William Cannon

Jeff,  
Here is the revised ordinance that accounts for the changes we discussed this morning. Please review. I am still in need of any modifications to the amount of existing impervious cover as well as the signed Recreation Easement.

Thank you,  
Wendy

-----Original Message-----

From: mfp@ci.austin.tx.us [mailto:mfp@ci.austin.tx.us]  
Sent: Tuesday, January 27, 2009 10:51 AM  
To: Rhoades, Wendy  
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF

WorkCentre Location: NPZD - OTC 5th flr  
Device Name: OTC05NEWCANEY

For more information on Xerox products and solutions, please visit <http://www.xerox.com>